

**COPY**

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**RECEIVED**  
JUL 21 2004  
Illinois Commerce Commission  
RAIL SAFETY SECTION

**MEMO**

**TO:** Eric Robertson  
**FROM:** Neil F. Flynn *NF*  
**DATE:** July 20, 2004  
**RE:** T02-0067 (Granite City) DOT/AAR 480 327V/328 048M - 20<sup>th</sup> Street

During one of our recent conversations, and again in your letter dated July 15, 2004, you and I discussed the issue of whether the Terminal Railroad is a necessary party to this docket. It is Norfolk Southern's contention that Terminal Railroad owns and maintains signals at the 20<sup>th</sup> Street crossing, and consequently is a necessary party to this proceeding.

I am informed that there are a total of seven (7) tracks that pass through the 20<sup>th</sup> Street crossing: one (1) Terminal Railroad; four (4) Norfolk Southern; one (1) Union Pacific; and one (1) Kansas City Southern. This crossing is protected by multiple sets of signal devices. One of these sets of signal devices protect the one Terminal Railroad track and two Norfolk Southern tracks. This set of signal devices is owned and maintained by the Terminal Railroad.

For your information and review, I am enclosing a copy of the following documents:

1. Agreement For Grade Crossing Improvements at the 20<sup>th</sup> Street Crossing among the State of Illinois (IDOT), Norfolk and Western Railway Company (now Norfolk Southern), the Illinois Central Gulf Railroad Company, the Consolidated Rail Corporation, the Illinois Terminal Railroad Company, and the Terminal Railroad Association, dated May 24, 1979; and
2. The Illinois Commerce Commission's Order dated October 10, 1979 in Docket 79-0356. In this docket, the Commission orders the parties, including the Illinois Terminal Railroad Company, to undertake and complete various improvements at the 20<sup>th</sup> Street crossing in Granite City.

**DOCKETED**

Finally, on May 3, 2004, Tom Brace (of Norfolk Southern) met on-site with Brian Kulick (Juneau & Associates) and with Clifford Trice (Terminal Railroad - 618-451-8422) to discuss the proposed improvements at 20<sup>th</sup> Street. During that meeting, I am informed that Mr. Trice acknowledged the Terminal's responsibility at this crossing, and further agreed to provide Mr. Kulick with a cost estimate for the proposed crossing signal changes.

After you have a chance to review these enclosures, please give me a call to discuss.  
Thank you very much.

NFF:cb

Enclosures

cc: All attorneys of record (w/o enclosures)  
Mike Stead (w/o enclosures)

**CERTIFICATE OF SERVICE**

The undersigned certifies that on JULY 20, 2004, a copy of the foregoing instrument was served upon the following parties by depositing said instruments in the U.S. Mail, with postage thereon fully prepaid, at Springfield, Illinois, plainly addressed as follows:

Dave Lazarides, Director of Processing  
Illinois Commerce Commission  
527 East Capitol  
Springfield, IL 62701

Stacey C. Hollo  
Special Assistant Attorney General  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Dean Jackson  
Attorney for Union Pacific Railway Co.  
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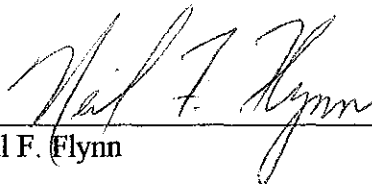
Bob Berry  
Illinois Commerce Commission Railroad Staff  
527 East Capitol  
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Neil F. Flynn